

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
Relation of State Engineer,)	
)	
Plaintiff,)	69cv07941-BB-ACE
v.)	RIO CHAMA STREAM
)	SYSTEM
)	
RAMON ARAGON, et al.)	Section 7
)	Subfile: CHRU-004-0039
Defendants.)	

JOINT MOTION TO VACATE CONSENT ORDER

COME NOW Hope Miner and Norm Vogt, Inc. (collectively, the "Parties"), by and through their attorneys, and in accordance with Rule 7.0 of the Federal Rules of Civil Procedure, and Rule 7.0 of the Administrative Order Establishing Motion Practice and Procedures for the above captioned case, move for the Consent Order dated February 23, 2004 (attached) on the water rights of Hope Miner, Subfile No. CHRU-004-0039 be vacated, and in support thereof, state as follows:

1. The Court entered a Consent Order regarding the water rights of Hope Miner on February 23, 2004.
2. The Consent Order was disputed by Norm Vogt, Inc.
3. The dispute between the Parties has been resolved and the resolution requires that the Consent Order be set aside and new consent orders entered reflecting the Parties' agreement.
4. Defendants Miner and Vogt have signed and approved revised Consent Orders to be filed with the Court.

5. Counsel for the State of New Mexico, *ex rel.* State Engineer does not oppose this Joint Motion.

WHEREFORE, the Parties request the Court vacate the Consent Order on the water rights of Hope Miner, Subfile No. CHRU-004-0039.

Respectfully submitted,

LEWIS and ROCA JONTZ DAWE, LLP

Electronically Filed 4/11/06

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and

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Telephonic Approval 4/10/2006

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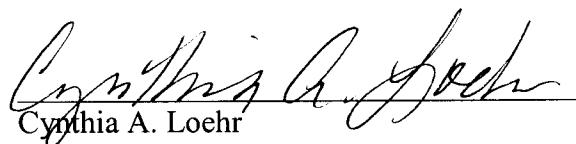
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to the following on this 11th day of April, 2006:

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